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DEPARTMENT FOR AF A/S FRAZER, AF S/E NATSIOS, AF/SPG
NSC FOR PITTMAN AND SHORTLEY

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SUBJECT: NCP DIVIDED ON COOPERATION WITH ICC

Classified By: DCM R. Powers, Reason: Sections 1.4 (b) and (d)

¶1. (C) Discussions between the National Congress Party (NCP) and the Sudan People's Liberation Movement (SPLM) regarding the Government's position on the International Criminal Court (ICC) have revealed divisions within the NCP. Minister of Cabinet Affairs Deng Alor told USAID Mission Director and Poloff on March 27 that Presidential Assistant Nafie Ali Nafie--a presumed hard-line voice in the NCP--agreed with the SPLM's position to cooperate with the ICC. He also supported the SPLM's efforts to facilitate negotiations with Darfur rebel groups.

¶2. (C) Presidential Advisor Mustafa Osman Ismail and State Minister of Foreign Affairs Ali Karti backed Nafie's initial stance. All three reversed their position, however, at the behest of Presidential Advisor Maghzoub al-Khalifa. Alor quoted al-Khalifa as telling him that "it's unfortunate that Nafie agreed to this, but that's our position." Al-Khalifa was buttressed by First Vice President Ali Osman Taha's opposition to cooperation with the ICC. In contrast to al-Khalifa, Taha's decision was based less on ideology than on an attempt to lessen his isolation within the regime by bolstering his hard-line credentials.

¶3. (C) Alor said that President Bashir is caught between his advisors and has complimented the SPLM on its recent efforts to address national issues, such as the ICC and the Darfur political process--not just topics affecting Southern Sudan. Though Bashir endorsed the position of non-cooperation with the ICC, Alor indicated that the divisions within the hard-liners presented an opportunity for the international community. He suggested that a clear statement that UN peace-keeping forces in Darfur would not take action on behalf of the ICC would "strengthen the position" of pragmatic elements in the regime.
HUME